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Notice of Allowability

Application No.

10/066,818

Examiner

Urszula M. Cegielnik

Applicant(s)

HORNSBY ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 17 October 2007.
2. ☒ The allowed claim(s) is/are 3, 5-17, 21, 26-30, and 32-45.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____



EUGENE KIM
SUPERVISORY PATENT EXAMINER

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claim 43, line 1, "1" has been replaced by -3--.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: The specific limitation(s) of the first and second switch plates including conductive elements positioned complementary to conductive elements located on the switch plates to touch each other on at least a portion of the conductive elements are not anticipated or made obvious by the prior art of record in the examiner's opinion. For example, **Esposito (US Patent No. 4,239,129)** discloses a fluid discharge mechanism (3); a plurality of light sources (9,11), located along a fluid discharge mechanism (3); and a sequential trigger (14) coupled to the fluid discharge mechanism (3) and to the light sources (9,11). **Schaeffeler et al. (US Patent No. 6,469,268)** teach confronting first (15,18) and second (15',18') switch plates slidably coupled to each other, the first and second switch plates having a longitudinal axis (see Figure 5, for example). **Chin-Fu (US Patent No. 4,750,641)** discloses a fluid discharge mechanism (33); a light source (40); and a sequential trigger mechanism (18) coupled to the fluid discharge mechanism (33) and to the light source (40), the sequential trigger mechanism (18) includes first (22) and

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second (24) switch plates ("*pushed against*" [col. 4, lines 19-21] may be interpreted as being slidable) slidably coupled to each other; the conductive portions of reference parts 22 and 24 enable the motor to be actuated (which is operated by battery). **Lebensfeld et al. (US Patent No. 6,302,796)** teach an IR transmitter (70) and receiver (14) which is (operably) coupled to a trigger mechanism (80). **Minoura et al. (US Patent No. 6,050,498)** teach a fluid-discharge device having a plurality of tanks (2-6) with associated trigger valves (20-24), and a purge valve (67). **Shiomi (US Patent No. 5,818,148)** teaches a switch have switch plates (1,2) that have conductive strips (7,9).

However, the prior art fails to teach the first and second switch plates including conductive elements positioned complementary to conductive elements located on the switch plates to touch each other on at least a portion of the conductive elements

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Urszula M. Cegielnik whose telephone number is 571-272-4420. The examiner can normally be reached on Monday through Friday, from 5:45AM-2:15PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eugene L. Kim can be reached on 571-272-4463. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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